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COMMISSION ON HUMAN RIGHTS
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Agenda item 9

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Mexico, Portugal* and Russian Federation: draft resolution

1998/... Human rights and arbitrary deprivation of nationality

The Commission on Human Rights,

Recalling its resolution 1997/36 of 11 April 1997,

Reaffirming article 15 of the Universal Declaration of Human Rights, in accordance with which everyone has the right to a nationality and no one shall be arbitrarily deprived of his nationality,

Recalling the provisions of other international human rights instruments, including article 5, paragraph (d) (iii), of the International Convention on the Elimination of All Forms of Racial Discrimination, article 24, paragraph 3, of the International Covenant on Civil and Political Rights and articles 7 and 8 of the Convention on the Rights of the Child,

Stressing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

and with the same emphasis, as reaffirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 (A/CONF.157/23),

Expressing its deep concern at the arbitrary deprivation of persons or groups of persons of their nationality, especially on racial, national, ethnic, religious or gender grounds,

Recalling that deprivation of a nationality of a person may lead to statelessness,

Mindful of the endorsement by the General Assembly, in its resolution 41/70 of 3 December 1986, of the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their populations because of nationality, ethnicity, race, religion or language,

1. Reaffirms the importance of the right to a nationality of every human person as an inalienable human right;

2. Recognizes that arbitrary deprivation of a nationality on racial, national, ethnic, religious or gender grounds is a violation of human rights and fundamental freedoms;

3. Calls upon all States to refrain from taking measures and from enacting legislation that discriminates against persons or groups of persons on grounds of race, colour, gender, religion, or national or ethnic origin by nullifying or impairing the exercise, on an equal footing, of their right to a nationality, especially if it renders a person stateless, and to repeal such legislation if it already exists;

4. Notes that full social integration of an individual might be impeded as a result of arbitrary deprivation of a nationality;

5. Takes note of the information received in response to the request of the Secretary-General;

6. Urges the appropriate mechanisms of the Commission on Human Rights and the pertinent United Nations treaty bodies to continue to collect information on this question from all relevant sources and to take account of such information, together with any recommendations thereon, in their reports;

7. Requests the Secretary-General to report to the Commission at its fifty-fifth session on the implementation of the present resolution;

8. Decides to remain seized of this matter.